

BIGGS AND BATTAGLIA

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August 1, 2007

The Honorable Mary Pat Thyng
United States District Court
844 North King Street
Lock Box 8
Wilmington, Delaware 19801

Re: DeWayne Walker, et. al. v. City of Wilmington
C.A. No.: 06-288


Dear Judge Thyng:

Briefing on Defendants' Motion for Summary Judgment was completed on July 23, 2007.

I write to inquire whether or not the pending Motion for Summary Judgment will be considered by you or whether the case will be assigned to one of the sitting District Court Judges.

The Plaintiffs have no opposition to the case being handled either way.

Counsel would very much appreciate your direction.

Respectfully,

Victor F. Battaglia

VFB/ret
Cc: Alex J. Mili, Jr., Esquire